



## Notice of Service of Process

null / ALL  
Transmittal Number: 28213991  
Date Processed: 12/21/2023

**Primary Contact:** SOP Team nwsop@nationwide.com  
Nationwide Mutual Insurance Company  
3 Nationwide Plz  
Columbus, OH 43215-2410

**Electronic copy provided to:** Ashley Roberts

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**Entity:** Scottsdale Insurance Company  
Entity ID Number 3286058

**Entity Served:** Scottsdale Insurance Company

**Title of Action:** Cwc La Properties, L.L.C. D/B/A Big Bass Marina And Meat Market, L.L.C., vs. Scottsdale Insurance Company

**Matter Name/ID:** Cwc La Properties, L.L.C. D/B/A Big Bass Marina And Meat Market, L.L.C., vs. Scottsdale Insurance Company (15016669)

**Document(s) Type:** Citation/Petition

**Nature of Action:** Contract

**Court/Agency:** Sabine Parish District Court, LA

**Case/Reference No:** 072867

**Jurisdiction Served:** Louisiana

**Date Served on CSC:** 12/21/2023

**Answer or Appearance Due:** 21 Days

**Originally Served On:** Secretary Of State

**How Served:** Certified Mail

**Sender Information:** Mudd, Bruchhaus & Keating, LLC  
N/A

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

**State of Louisiana**  
**Secretary of State**

12/20/2023

Legal Services Section

P.O. Box 94125, Baton Rouge, LA 70804-9125

(225) 922-0415

SCOTTSDALE INSURANCE COMPANY  
C/O CORPORATION SERVICE COMPANY  
450 LAUREL STREET, 8TH FLOOR  
BATON ROUGE, LA 70801

Suit No.: 072867  
11TH JUDICIAL DISTRICT COURT  
SABINE PARISH

CWC LA PROPERTIES, L.L.C., ET AL  
vs  
SCOTTSDALE INSURANCE COMPANY

Dear Sir/Madam:

I am enclosing a citation served in regard to the above entitled proceeding. If you are not the intended recipient of this document, please return it to the above address with a letter of explanation. All other questions regarding this document should be addressed to the attorney that filed this proceeding.

Yours very truly,

R. KYLE ARDOIN  
Secretary of State

Served on: R. KYLE ARDOIN  
Served by: B GARAFOLA

Date: 12/19/2023  
Title: DEPUTY SHERIFF

No: 1314527

KC



CITATION

CWC LA PROPERTIES LLC, ET AL

Versus

SCOTTSDALE INSURANCE CO

Case: 072867  
Division:  
11<sup>th</sup> Judicial District Court  
Parish of Sabine  
State of Louisiana

To: SCOTTSDALE INSURANCE COMPANY  
THROUGH ITS REGISTERED AGENT FOR SERVICE:  
LOUISIANA SECRETARY OF STATE  
8585 ARCHIVES AVENUE  
BATON ROUGE, LA 70809

Parish of EAST BATON ROUGE

SERVED ON  
R. KYLE ARDOIN

DEC 19 2023

SECRETARY OF STATE  
COMMERCIAL DIVISION

You are hereby summoned to comply with the demand contained in the PETITION FOR DAMAGES a true and correct copy (exclusive of exhibits) accompanies this citation, or make an appearance, either by filing a pleading or otherwise, in the 11th Judicial District Court in and for the Parish of Sabine, State of Louisiana, within twenty-one (21) days after service hereof, under penalty of default.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, at Many, Parish of Sabine, Louisiana, on this, the 11<sup>TH</sup> day of DECEMBER, 2023.

Shelly Salter

Clerk of Court

*Shelly Salter*

By: Clerk of Court

Atty:



SERVICE INFORMATION

<input type="checkbox"/> Moved, address unknown	<input type="checkbox"/> Moved, served at new address of _____	
<input type="checkbox"/> Moved out of parish	<input type="checkbox"/> Address not in Sabine Parish	<input type="checkbox"/> Does not live at address given
<input type="checkbox"/> Vacant Residence	<input type="checkbox"/> Vacant Lot	<input type="checkbox"/> No such address
<input type="checkbox"/> Not known at this address	<input type="checkbox"/> Need physical address	<input type="checkbox"/> Received too late for service
<input type="checkbox"/> Deceased	<input type="checkbox"/> Other	<input type="checkbox"/> Request to hold service by _____

Attempted service date/time/note: \_\_\_\_\_  
Attempted service date/time/note: \_\_\_\_\_  
Attempted service date/time/note: \_\_\_\_\_  
Attempted service date/time/note: \_\_\_\_\_

☐ PERSONALLY served on date: \_\_\_\_\_  
☐ DOMICILIARY served on date: \_\_\_\_\_ Served upon \_\_\_\_\_ Relationship: \_\_\_\_\_  
☐ MILEAGE one way \_\_\_\_\_  
☐ UNABLE TO LOCATE after a due and diligent search on date: \_\_\_\_\_

Recipient \_\_\_\_\_ Deputy Sheriff \_\_\_\_\_  
Sabine Parish Sheriff's Department--Louisiana

CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C. 11<sup>th</sup> JUDICIAL DISTRICT

VS. NO. \_\_\_\_\_

SCOTTSDALE INSURANCE COMPANY

FILED: \_\_\_\_\_

RECEIVED AND FILED  
2023 DEC 11 P 2:47

SHELLY SALTER  
CLERK OF COURT  
SABINE PARISH

PARISH OF SABINE

STATE OF LOUISIANA

DEPUTY CLERK OF COURT

**PETITION FOR DAMAGES**

NOW INTO COURT, through undersigned counsel, comes Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., who respectfully represents:

1.

Petitioner, CWC LA PROPERTIES, L.L.C. operated a marina, convenience store and meat market business in Sabine Parish, Louisiana at 363 Big Bass Lane, Many, Louisiana. At all times pertinent hereto, CWC LA PROPERTIES, L.L.C. had its principal business establishment in Sabine Parish, Louisiana.

2.

Made Defendant herein is SCOTTSDALE INSURANCE COMPANY (hereinafter "SCOTTSDALE"), a foreign insurance corporation, licensed to do and doing business in the State of Louisiana, and with an agent for service in the State of Louisiana to wit: Louisiana Secretary of State, 8585 Archives Avenue, Baton Rouge, Louisiana, 70809.

3.

Venue is proper in the Eleventh Judicial District Court pursuant to Louisiana Code of Civil Procedure Article 76. This is an action against a property insurance carrier and the loss occurred in Sabine Parish, Louisiana.

4.

Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., purchased a Commercial Property Policy from Defendant, SCOTTSDALE, bearing Policy Number CPS7427610. The Policy was in effect on or about January 9, 2022 when catastrophic winds and tornadoes struck Petitioner's property. The policy was issued insuring Petitioner's property located at 363 Big Bass Lane, Many Louisiana (hereinafter "the covered property").

5.

Defendant placed a valuation upon the covered property and used this valuation for purposes of determining the premium charge to be made under the policy.

6.

Among other provisions, the policy provided coverage for Petitioners' buildings, boat docks, business personal property, and business income with extra expenses.

7.

On or about January 9, 2022, a series of tornadoes and thunderstorms moved across Sabine Parish, Louisiana. As a result, the covered property was subjected to catastrophic force winds and rain for an extended period of time.

8.

The covered property and contents thereof were severely damaged and/or destroyed by catastrophic winds and rain.

9.

Defendant has denied appropriate coverage for all the damages sustained to the covered property.

10.

The damages sustained to the covered property occurred prior to the damage to the covered property by any non-covered peril, including any type of peril purportedly excluded by the policy.

11.

Defendant has failed to pay the amount of the claim due Petitioner within thirty (30) days of receipt of satisfactory proof of loss.

12.

Defendant has failed to make a written offer to settle Petitioner's claim within thirty (30) days after receipt of satisfactory proof of loss.

13.

Defendant's failure to pay the amount of Petitioner's property damage claim within thirty days and the failure to make a written offer to settle Petitioner's property damage claim within thirty days is arbitrary, capricious and without probable cause. Pursuant to LSA-R.S. 22:1892, in addition to the amount of damage sustained, Defendant is liable to Petitioner for an additional fifty percent (50%) in penalties on the amount found to be due from Defendant to Petitioner, or \$1,000.00, whichever is greater, plus reasonable attorney's fees.

14.

Pursuant to LSA-R.S. 22:1973, Defendant owes Petitioner a duty of good faith and fair dealing in the handling of the claim. Defendant also has an affirmative duty to adjust Petitioner's claim fairly and promptly and to make a reasonable effort to settle Petitioner's claim. Defendant has breached this duty and said breach has been arbitrary and capricious and/or without probable cause.

15.

Because of the actions alleged above, Defendant is liable to Petitioner, in addition to any general or special damages to which Petitioner is entitled for breach of the imposed duty set forth above, for penalties in an amount not to exceed twice the damages sustained or \$5,000.00, whichever is greater, pursuant to LSA-R.S. 22:1973 and LSA-R.S. 22:1892.

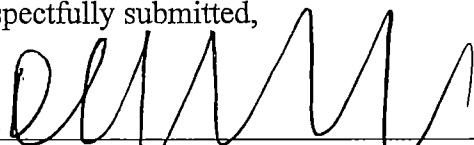
16.

Petitioner has sustained general damages, in addition to the damages already alleged, due to Defendant's breach of the obligations imposed by LSA-R.S. 22:1973 and LSA-R.S. 22:1892, including mental anguish, inconvenience, worry, and stress. Defendant is responsible for these damages as well.

WHEREFORE, Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., prays:

- (A.) That the Defendant, SCOTTSDALE INSURANCE COMPANY, be duly cited and served with a copy of this Petition for Damages and be ordered to answer same in the manner provided by law;
- (B.) That after due proceedings, there be judgment herein in favor of Petitioner, CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS MARINA AND MEAT MARKET, L.L.C., and against Defendant, SCOTTSDALE INSURANCE COMPANY, for such damages as the court finds to be just and reasonable, including penalties and attorney's fees, together with legal interest from the date of judicial demand, until paid, and for all costs hereof; and
- (C.) For all orders and decrees necessary in the premises and for full, general, and equitable relief.

Respectfully submitted,

  
\_\_\_\_\_  
DAVID P. BRUCHHAUS (#24326)  
CHAD E. MUDD (#25188)  
MATTHEW P. KEATING (#30911)  
M. KEITH PRUDHOMME (#14336)  
WESLEY A. ROMERO (#33344)  
JAMIE C. GARY (#29203)  
LENZI C. HEBERT (#38544)  
**MUDD, BRUCHHAUS & KEATING, LLC**  
422 E. College Street, Suite B  
Lake Charles, LA 70605  
Telephone: (337) 562-2327  
Facsimile: (337) 562-2391

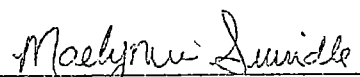
*Attorneys for Petitioner,*  
CWC LA PROPERTIES, L.L.C. d/b/a BIG BASS  
MARINA AND MEAT MARKET, L.L.C.

**PLEASE SERVE:**

**SCOTTSDALE INSURANCE COMPANY**

Through its registered agent for service:  
Louisiana Secretary of State  
8585 Archives Avenue  
Baton Rouge, LA 70809

A TRUE COPY-ATTEST

  
\_\_\_\_\_  
DEPUTY CLERK 11TH JUDICIAL  
DISTRICT COURT, SABINE PARISH, LA

**R. KYLE ARDOIN**  
**SECRETARY OF STATE**

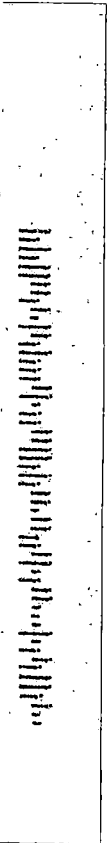
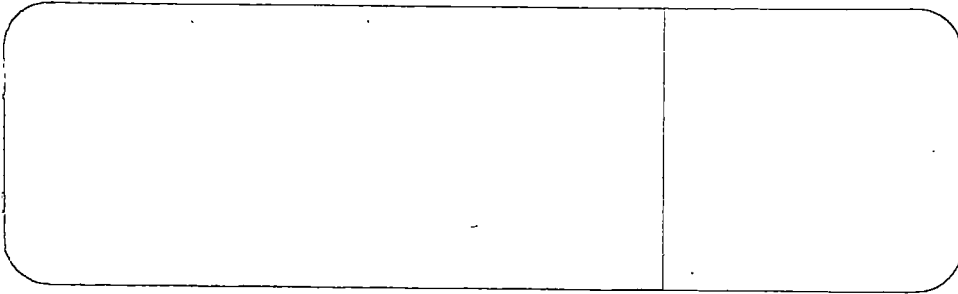
**P.O. BOX 94125**

**BATON ROUGE, LA 70804-9125**

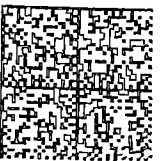


9489 0090 0027 6567 7487 19

Label 890-PB, Oct 2011  
Pitney Bowes



FIRST CLASS



**US POSTAGE**  
Pitney Bowes  
ZIP 70802 \$005.94<sup>0</sup>  
02 4W  
0000382747 DEC 20 2023

**SS151**